

# *Town of Horicon*

## **ZONING BOARD OF APPEALS**

**Minutes of March 28, 2006**

**Members Present:** Chairperson Priscilla Remington, Gail Sirrine, Dan Smith, Steven Smith Curt Castner,  
Absent: Harry Balz

**Others Present:** Counsel to Boards Mark Schachner, Zoning Administrator Gary McMeekin,

**Guests Present:** Troy Scripture, William Duffy, David King, James Farmer, Susan Millington, Peter Beletti, Erin Hayes, Roberta Clench, Elizabeth St. Claire, Jeff Provost.

### **PUBLIC HEARINGS:**

**2006-01 Tax Map 106.-1-4 Carol Meyer** seeking area variances for density and road frontage for a 4 lot subdivision located on Hayesburg Rd. Susan Millington representing the applicant stated that this subdivision is located in three (3) zones, R2-5, LC-10 and LC-42.6 acre zones requiring variance for road frontage for lots 1 and 2 and density variance for lots 1,2 & 4. Troy Scripture and Gail Baker stated that they own property on Ira Frasier Rd and want to know what effects this subdivision will have on the lots. Steven Smith stated that there is a mobile home on the property. Being no further comments or questions, the public hearing was closed.

Steven Smith recused himself from the Robert and Susan Smith application as he has been hired as a contractor for the Smith's.

**2006-04 Tax Map 54.-1-6.2 Robert & Susan Smith** seeking an area variance from sideyard setback to build a garage at 527 Pease Hill Rd. Letter received from Joe Dooris indicating that he is in favor of the variance request. Being no further comments or questions, the public hearing was closed.

Steven Smith returned to the board.

**2006-05 Tax Map 55.14-1-9 James Mrazek** seeking an area variance to replace a deck/dock/seawall and add a roof/deck structure on parcel located at 603 Palisades Rd. Jeff Provost representing the applicant stated that the existing deck/dock and seawall are in disrepair and the applicant would like to replace the existing dock with an open sided dock with roof structure (deck) adding that both neighbors have boathouses. Priscilla Remington stated that the Town Planning Board recommended approval of the seawall variance, recommended denial of the dock/deck variance also stating that the Warren Co. Planning Board indicated No County Impact. Steven Smith questioned the representative regarding DEC materials. Jeff Provost stated that he will supply documents from the DEC. Lengthy discussion ensued leading Priscilla Remington to make a motion that the public hearing be held open for further information from the application regarding the DEC document and to speak with the Zoning Administrator, 2<sup>nd</sup> by Curt Castner. All Ayes.

**2006-06 Tax Map 71.12-1-30 Peter Beletti** seeking an area variance from shoreline setback to build a fence on parcel located at 223 Palisades Rd. Peter Beletti stated that the split rail fence will be used for safety and liability reasons. Warren County Planning Board stated No County Impact. Being no further comments or questions, the public hearing was closed.

**Regular Meeting of the ZBA** was called to order by Chairperson, Priscilla Remington. Dan Smith made a motion to approve the minutes as written, 2<sup>nd</sup> by Curt. Gail Sirrine abstained from voting as she was not present

at February meeting. Motion passed by majority vote.

#### **UNFINISHED BUSINESS:**

**2005-56 Tax Map 36.15-1-12.1 Erling Asheim** seeking a area variances from road frontage to subdivide parcel located on East Shore Dr. This application is tabled until the April 2006 meeting. Applicant requested that this matter be tabled until “runoff” information is received.

**2006-01 Tax Map 106.-1-4 Carol Meyer** seeking area variances for density and road frontage for a 4 lot subdivision located on Hayesburg Rd. Dan Smith stated that the main issue is the multiple zones. Steven Smith and Gail Serrine agreed that they were comfortable with the project as the lot sizes are adequate with the area and there are not adverse effects with the population. Curt Castner made a motion to approve the variances as there are no undesirable changes to the characteristics of the neighborhood, the benefits can not be achieved by other means, no adverse environmental effects, and not self created, 2<sup>nd</sup> by Gail Serrine. All Ayes.

Steven Smith recused himself from the Robert and Susan Smith application as he has been hired as a contractor for the Smith’s.

**2006-04 Tax Map 54.-1-6.2 Robert & Susan Smith** seeking an area variance from sideyard setback to build a garage at 527 Pease Hill Rd. After a brief discussion, Dan Smith made a motion to approve the variance as there are no under undesirable changes to the characteristics of the neighborhood, the benefits can not be achieved by other means, the variance is substantial but reasonable due to the slope of land, there are no adverse environmental effects, and this was not self created, 2<sup>nd</sup> by Gail Serrine. All Ayes.

Steven Smith returned to the board.

**2006-06 Tax Map 71.12-1-30 Peter Beletti** seeking an area variance from shoreline setback to build a fence on parcel located at 223 Palisades Rd. Dan Smith stated that he does not see any visual impact this fence would have on the neighbors and made a motion to approve the variance request as there are no undesirable changes to the characteristics of the neighborhood, the benefits can not be achieved by other means, the variance is not substantial, there are no adverse environmental effects, and this was not self created, 2<sup>nd</sup> by Curt Castner. All Ayes

#### **NEW BUSINESS:**

**2006-14 Tax Map 89.-1-53 James Farmer** seeking an area variance from road setback to build a deck on home lcoated at 827 Hayesburg Rd. James Farmer stated that he replace his mobile home and would like to build a 10' x 16' free standing deck requiring a 10' variance from the roadway setback. After a brief discussion, Priscilla Remington made a motion to deem the application complete, schedule a public hearing not referring this to the Town Planning Board, 2<sup>nd</sup> by Steven Smith. All Ayes.

**2006-11 Tax Map 39.17-1-40 David King** seeking an area variance from rear yard setback to build an addition on home with a deck located at 5 Palisades East. After a brief discussion, Dan Smith made a motion to deem the application complete, schedule a public hearing, forwarding this to the Warren County Planning Board, not referring this to the Town Planning Board, 2<sup>nd</sup> by Curt Castner. All Ayes.

**2006-15 Tax Map 38.16-1-26 William and Geraldine Duffy** seeking an area variance to build a barbecue grill

on parcel located at 1064 Palisades Rd. William Duffy stated that he is requesting a 27' shoreline setback variance to build an outdoor kitchen on his parcel. After a brief discussion Steven Smith made a motion to deem the application complete, schedule a public hearing and forward this to the Warren Co Planning Board, not referring this to the Town Planning Board, 2<sup>nd</sup> by Curt Castner. All Ayes.

**2006-16 72.10-1-15 Tax Map Randy and Elizabeth St. Claire** seeking area variances from road and shoreline setback requirements. Elizabeth St. Claire stated that she would like to build a garage and shed overhang on her parcel and is requesting four (4) variances. After a lengthy discussion regarding the amount of variance requested for the shed overhang, Steven Smith made a motion to deem the application incomplete, requesting the applicant submit the shed overhang measurement to the board, 2<sup>nd</sup> by Dan Smith. All Ayes.

**2006-17A Tax Map 54.-1-31 Robert and Roberta Clench** seeking an area variance from density to subdivide parcel located at 226 Pease Hill Rd. Erin Hayes, representing the applicant stated that the parcel is 6.44 acres and a two-family home exists on the parcel, the applicants

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would like to subdivide this parcel gifting a portion to the daughter. Steven Smith made a motion to deem the application complete, schedule a public hearing, refer this to the Town Planning Board, not forwarding this to the Warren Co. Planning Board, 2<sup>nd</sup> by Dan Smith. All Ayes.

There being no further business before the board, Chairperson Priscilla Remington adjourned meeting at 9:20 PM.

Respectfully Submitted,  
Christine Smith-Hayes